औद्योगिक रुग्णता के संबंध में प्रतिवेदन

5496. चौधरी हरमोहन सिंह : क्या वित्त मंत्री 19 अगस्त, 1994 को राज्य सभा में तारांकित प्रश्न 376 के दिए गए उत्तर को देखेंगे और यह बताने की कृपा करेंगे कि :

(क) क्या सरकार रुग्ण उद्योगों के मामले में विशेषज्ञ दल के प्रतिवेदन पर विचार करने के लिए कोई समय सीमा निर्धारित करेगी और इस समस्या की तात्कालिकता को ध्यान में रखते हुए इसके निष्कर्षों को प्रस्तुत करेगी;

(ख) क्या सरकार विशेषज्ञ दल द्वारा की गई अनुशंसा के अनुसार औद्योगिक रुग्णता के ज्वलंत मुद्दे को सुलझाने के लिए पांच परिसमापन न्यायिकरण स्थापित करने पर विचार कर रही है;

(ग) क्या सरकार रुग्णता को परिभाषित करेगी; और

(घ) क्या रुग्णता की समस्या मुख्य रूप से प्रबंधकीय, वित्तीय और श्रम संबंधी समस्याओं से जुड़ी हुई है; यदि हां, तो क्या सरकार उद्योगों की रुग्णता को दूर करने अथवा उस पर अंकुश लगाने हेतु यथाशीघ्र विशेषज्ञ दल के प्रतिवेदन के साथ-साथ अन्य दलों के प्रतिवेदनों के आधार पर सांसदों के साथ विचार विमर्श करेगी ?

वित्त मंत्रालय में राज्य मंत्री (श्री एम. वी. चन्द्रशेखर मूर्ति) : (क) से (घ) औद्योगिक रुग्णता तथा कंपनी पुनर्निर्माण पर समिति की सिफारिशों में अन्य बातों के साथ-साथ रुग्णता की परिभाषा में परिवर्तन सरकार के विचाराधीन है। अतएव इसके लिए समय सीमा निर्धारित करना कठिन है। समिति की सिफारिशों पर विचार-विमर्श करने के लिए वित्त मंत्रालय की परामर्शदात्री समिति की दो बैठकें 25 अगस्त, 1983 और 5 नवम्बर, 1993 को हुई।

Setting up of Private Sector Banks

5497. SHRI SURESH KALMADI: Will the Minister of FINANCE be pleased to state :

(a) whether it is fact that Government have accorded permission for the establishment of banks in the private sector,

(b) if so, how many private banks have been set up so far in the country and the details in respect thereof:

(c) whether any guidlines have been issued by Government for the working of the private banks; and

(d) if so, the details thereof?

THE MINSTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M. V. CHANDRASHEKHAR MURTHY): (a), (c) and (d) In terms of Sec. 22 of the Banking Regulation Act, 1949, Reserve Bank of India (RBI) can permit setting up of private sector banks subject to fulfilment of prescribed conditions. The policy for the setting up of private sector banks has been reviewed in the light of the recommendations of the Committee on the Financial System (Narasimham Committee). The Committee has recommended that new private sector banks should be allowed to enter provided they are able to meet transparent prudential norms including those relating to capital adequacy. The Government has accepted this recommendation and has decided that new private sector banks will be allowed entry into the financial sector subject to their fulfilling comprehensive and transparent prudential requirements. The RBI have issued detailed guidelines on 22-1-1993. These guidelines are given in the enclosed statement. *(See* below).

(b) In terms of the RBI guidelines, two new private sector banks have been set up. These are UTI Bank Ltd and Indus Ind Bank Ltd.

Statement

Guidelines on entry of new private sector banks

(a) Such a bank shall be registered as a public limited company under the Companies Act, 1956.

(b) The RBI may, on merits, grant a licence under the Banking Regulations Act, 1949 for such a bank. The bank may also be included in the Second Schedule of the Reserve Bank of India Act, 1934 at the appropriate time. The decision of the RBI in these matters shall be final.

(c) The bank will be governed by the provisions of the Banking Regulations Act, 1949 in regard to its authorised, subscribed and paid-up capital. The minimum paid-up capital for such a bank shall be Rs. 100 crores. The promoters' contribution for such a bank shall be deter-mined by the RBI and will also be subject to other applicable regulations.

(d) The shares of the bank should be listed on stock, exchanges.

(e) To avoid concentration of the headquarters of new banks in metropolitan cities ?and other overbanked areas, while granting a licence preference maybe given to those the headquarters of which are proposed to be located in a centre which does not have the headquarters of any other bank.

(f) Voting rights of an individual shareholder shall be governed by the ceiling of 10 percent of the total voting rights as stipulated by Section 12(2) of the Banking Regulation Act. However, exemption from this ceiling may be granted under Section 53 of the said Act to public financial institutions.

(g) The newbank shall not be allowed to have as a director any person who is a director of any other banking company, or of companies which among themselves are entitled to exercise voting rights in excess of twenty percent of th e total voting rights of all the shareholders of the banking company, as laid down in the Banking Regulation Act, 1949.

(h) The bank will be governed by the provisions of the Reserve Bank of India Act, 1934, the Banking Regulation Act, 1949 and other relevant statutes, in regard to its management set-up, liquidity requirements and the scope of its activities. The directives, instructions, guidelines and advices given by the RBI, shall be applicable to such a bank as in the case of other banks. It would be ensured that a new bank would concentrate on core banking activities initially.

(0 Such a bank shall be subject to prudential norms in respect of banking operations accounting policies and other policies as are laid down by RBI. The bank will have to achieve capital adequacy of 8 percent of the risk weighted assets from the very beginning. Similarly, norms for income recognition, asset classification, and provisioning will also be applicable to it from the beginning so will be the single borrower and group borrowers exposure limits that will be in force from time to time.

(i) The, bank shall have to observe priority sector lending targets as applicable to other domestic banks. Howsver, in recognition of the fact that new entrants may require some time to lend to all categories of the priority sector, some modification in the composition of the priority sector lending may be considered by the RBI for an initial period of three years.

(k) Such a bank will also have to comply with such directions of the RBI as are applicable to existing banks in the matter of all export credit As a facilitation of this it may be issued an authorised dealers licence to deal in foreign exchange, when applied for.

(1) A new bank shall not be allowed to set up a subsidiary or mutual fund for at least three years after its establishment. The holding of such a bank in the equity of other companies shall be governed by the existing provisions applicable to other banks viz.:—

(i) 30 percent of the bank's or the invitee company's capital funds, whichever is less, as set out under the Banking Regulation Act, 1949; and

(ii) *IS* percent of the bank's incremental deposits during a year as per RBI guidelines.

The aggregate of such investments in the subsidiaries and Mutual Fund (if and when set up) and portfolio investments in other companies shall not exceed 20 percent of the bank's own paid-up capita! and reserves.

(m) In regard to branch opening, it shall be governed by the existing policy that banks are free to open branches at various centres including urban/metropolitan centres without the prior approval of the RBI once they satisfy the capital adequacy and prudential accounting norms. However, to avoid over-concentation of their branches in metropolitan areas and cities, a new bank will be required to open rural and semi-urban branches also, as may be laid down by RBI

(n) Such a bank shall have to lay down its loan policy within the overall policy guidelines of RBI. While doing so,it shall specifically provide prudential norms covering related party transactions.

(o) Such a bank shall make full use of modern infrastructural facilities in office equipments, computer, telecommunications etc. in order to provide good customer servicc The bank should have a high powered customer grievances cell to handle customer complaints.

(p) Such other conditions as RBI may prescribe from time to time.

Fake Demand Draft Racket

5498. SHRI GOVINDRAO ADIK: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that the crime branch of the Delhi Police has recently busted a racket of fake demand drafts involving several lakhs of rupees;

(b) if so, the details thereof;

(c) what action Government have taken so far and with what results; and

(d) if no. action is taken what action is proposed to be taken to curb such rackets ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M. V CHANDRASHEKHAR MURTHY): (a) and (b) The Delhi Police has reported that a countrywide racket of cheating banks and individuals through fake and forged drafts has been busted by it following a complaint made by the Regional Manager of Dena Bank. Eight persons were arrested and the crime branch has so far identified 41 fake Demand Drafts purported to have been issued by various branches of Dena Bank in different States aggregating over Rs. 30 lakhs. The accused persons had entered into a criminal conspiracy to cheat innocent persons by presenting to them fake Demand Drafts made from blocks prepared from a sample draft.

(c) While the precautions to be observed for the issue/safe custody/payment of cheque books/drafts are incorporated in the manuals/ books of instructions of banks. Reserve Bank of India also advises the banks from time to time regarding precautions to be taken in this regard. The Ghosh Committee has, in its report, also made a number of recommendations/suggestions and the banks have been advised to implement these recommendations. The banks have been mainly advised:

(i) to exercise due caution for verification of the drawer's signatures, custody of specimen signatures cards, supervision over issue of cheque books and control over custody of blank cheque books/ leaves;

(ii) to introduce a practice of examining cheques/drafts for large amounts under ultra violet ray lamps;

(iii) to treat blank draft and mail transfer forms as security items and usual pre-cuations for such instruments should be exercised in regard to their custody and issue.

(iv) that amounts on drafts/mail transfer may be written by protectograph machines or pin point typewriters or similar other suitable device to minimise the chances of their being chemically altered. At smaller branches where the drafts are written in hand, reverse carbon should be used on the reverse of the instruments.

(d) Does not arise.

Low Power TV Transmitter at Jaipur

5499. SHRI DILIP SINGH JUDEV: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) the number of TV relay transmitters commissioned during the year 1990-91, 1991-92, 1993-94 and as on date in Madhya Pradesh;

(b) the details thereof;

(c) whether there is any proposal to commission a L.P. TV transmitter at Jaspur during the current financial year,

(d) if so, by when this proposed LP. Transmitter is to be commissioned; and

(e) if not, the reasons therefor ?

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRl K P. SINGH DEO): (a) and (b) The requisite details are as under:—

Year	Nos.	Details
1990-91	2	High Power Transmitter, Gwalior. High Power Transmitter, Raipur.